IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO : 21742 of 1997

Dated: 23.01.2007

Between:
Kadali Saibabu representing the villagers
Of Gudimellanka (V) Mallikipuram Mandal,
East Godavari District, S/o Ramamurthy,
Aged 28 years, r/o Gudimellanka, Mallikipuram,
East Godavari District.

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PETITIONER

AND
1.Govt.of A.P. represented by Chief Secretary,
Secretariat, Hyderabad.
2.Revenue Divisional Officer, Amalapuram,
East Godavari District.
3.Mandal Revenue Officer, Mallikipuram,
East Godavari District.
4.Assistant Engineer, Roads and Buildings and P.W.D.,
Mallikipuram, East Godavari District.
....RESPONDENTS

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THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO.21742 of 1997

ORDER:

Petitioner representing the villagers of Gudimellanka village, Mallikipuram Mandal, East Godavari District, filed this writ petition seeking a Writ of Mandamus declaring the action of the respondents in demolishing Sri Kanakadurga temple situated at Gudimellanka village, Mallikipuram Mandal, East Godavari District, as arbitrary and illegal.

The grievance of the petitioner is that the respondents without issuing any notice and without following the due process of law are trying to demolish the temple in question for the purpose of road widening.

Learned Government Pleader for Roads and Buildings, on instructions, submits that there is no proposal to demolish the temple in question or to acquire the land wherein the temple is situated.

In the light of the aforesaid submission of the learned Government Pleader, this Court is of the view that no further orders need be passed in this writ petition. However, it is made clear that if the respondents want to demolish the temple in question or to acquire the land wherein the temple is situated, the same shall be done only in accordance with law.

The writ petition is accordingly disposed of. No costs.

(GOPALA KRISHNA TAMADA, J)

23-01-2007
Gsn.